

Exhibit 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re: :
CITY OF ALMATY, KAZAKHSTAN, et al., : Docket #15cv5345
1:15-cv-05345-AJN-KHP
Plaintiffs, :
- against - :
MUKHTAR ABLIAZOV, et al., :
Defendants. : New York, New York
October 4, 2017

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PROCEEDINGS BEFORE
THE HONORABLE KATHARINE H. PARKER,
UNITED STATES DISTRICT COURT MAGISTRATE JUDGE

APPEARANCES:

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2 which could be run against his email, not simply documents
3 which, and again, I think counsel reference that certain
4 documents were produced by Mr. Glass selectively in response
5 to allegations against him. While we appreciate any evidence
6 we get, we obviously want that to be fulsome evidence.

7 And finally, I believe we skipped over the issue
8 of Mr. Gillieron, that would be the mg@chabrier.ch email?

9 THE COURT: Oh, yes, I apologize, thank you for
10 raising that.

11 MR. BOYLE: With respect to that, I think there is
12 one new issue or one new element that has come out since the
13 deposition yesterday. When we deposed Mr. Gillieron
14 yesterday, he stated that he was unwilling to produce
15 documents from his Chabrier email account because he had a
16 duty of professional secrecy. In response to further
17 questioning, however, he stated numerous times that he would
18 be willing to produce documents if directed by Ilyas
19 Khrapunov. And while I understand Your Honor can't order a
20 Swiss lawyer to produce documents where he's a nonparty,
21 Your Honor is certainly able to order Mr. Khrapunov to
22 direct Mr. Gillieron to produce documents in response to our
23 request as Mr. Khrapunov is a party. And in the situation
24 where a party, or a nonparty, is willing to produce
25 documents at the direction of a party, I think we would

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THE COURT: Well there may not be documents. If they don't have the emails or they destroyed the emails, I mean the fact that there's a hundred documents that were produced, I understand you're frustrated, but there may not be documents.

MR. BOYLE: Your Honor, I understand and I should have clarified earlier, Mr. Gillieron did testify that under Swiss law he was required to keep KYC due diligence files and other regulated records for ten years, so he testified that the documents definitely exist. And I apologize for not putting that in front of Your Honor immediately.

THE COURT: All right, so provide the list to Mr. Curley and then he can respond. And it seems that you learned something from the deposition and you learned about the existence of documents. So send that list, can you send that in the next week?

MR. BOYLE: We'll certainly do that, Your Honor.

THE COURT: All right, and then I imagine it will take a couple of weeks for Mr. Curley to talk with Mr. Gillieron about these documents.

MR. CURLEY: Yes, Your Honor, thank you.

THE COURT: Okay.

MR. HASSID: Your Honor, this is Alex Hassid for Triadou, I'd like to just respond to a point Mr. Boyle

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2 just to note, just to raise the issue, and I don't want to
3 mischaracterize plaintiffs' counsels' position, but it seems
4 to me that perhaps they're abandoning their motion to compel
5 Triadou to produce Mr. Gillieron's documents. If that's not
6 the case then I'm happy to speak about why his email files,
7 in particular, are out of Triadou's control, but I don't
8 want to waste the Court's time if it is a nonissue now.

9 THE COURT: Well I think it's a nonissue now
10 because plaintiffs are going to provide the list to Mr.
11 Curley.

12 MR. BOYLE: Your Honor, Mr. Boyle, we will provide
13 that to Mr. Curley. We will, of course, also copy Triadou.
14 We don't want to reach a situation where one defendant is
15 saying the other has it and going back and forth. So we'll
16 work with all defendants on that request.

17 THE COURT: Okay, that's fine.

18 MR. CURLEY: Your Honor, this is John Curley
19 again, just very briefly, I want to be, maybe I
20 misunderstood but I don't think Mr. Boyle is asking Mr.
21 Khrapunov to consent to the release of Mr. Gillieron's
22 emails, I think that he was asking only for sort of the due
23 diligence files, or know your customer files, that Mr.
24 Gillieron testified that he keeps in the normal course of
25 his business. If I'm mistaken about that, maybe Mr. Boyle